



February 27, 2009

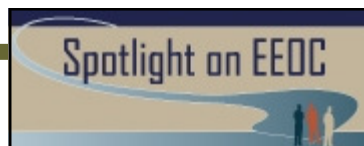
Volume 1, Issue 2



Thank You!

The Office of Diversity & Equality would like to thank each of you for your support and participation in this year's Black History Month Celebration "Making History by Serving the People." We have received several positive comments in reference to Alvin Herring the keynote speaker.

Website Changes: Keep a look out for changes in the Office of Diversity & Equality web-site! Our new site will provide easier access to forms and information related to EEO, Diversity and Affirmative Action.



Notice Concerning the Lilly Ledbetter Fair Pay Act of 2009

On January 29, 2009, President Obama signed the [Lilly Ledbetter Fair Pay Act of 2009](http://www.eeoc.gov/epa/ledbetter.html) ("Act"), which supersedes the Supreme Court's decision in *Ledbetter v. Goodyear Tire & Rubber Co., Inc.*, 550 U.S. 618 (2007). *Ledbetter* had required a compensation discrimination charge to be filed within 180 days of a discriminatory pay-setting decision (or 300 days in jurisdictions that have a local or state law prohibiting the same form of compensation discrimination).

<http://www.eeoc.gov/epa/ledbetter.html>

GEORGIA-PACIFIC GYPSUM TO PAY \$75,000 TO SETTLE EEOC SEXUAL HARASSMENT SUIT

*Company Will Pay Additional Amount to Settle **Retaliation Claim***

<http://www.eeoc.gov/press/2-12-09b.html>

J.C. PENNEY TO PAY \$50,000 TO SETTLE EEOC RACE DISCRIMINATION SUIT

*African American Greeter Targeted With **Racial Slurs and Fired Due to Race, Federal Agency Charged***

<http://www.eeoc.gov/press/2-12-09.html>



Louis H. Coleman, Jr. Torch Award

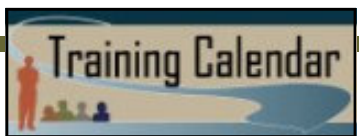
The Reverend Louis H. Coleman, Jr. fought injustice throughout the Commonwealth for over three decades. Founder of the Justice Resource Center in Louisville, Coleman became a voice for Kentucky's poor, oppressed and disenfranchised. Coleman championed civil rights and equality wherever he believed there was some form of oppression, unfair employment or inequitable procurement practices within local communities, government and private businesses. Although his tactics were sometimes considered controversial, Coleman dedicated his life to holding community leaders accountable to the people they served. He challenged public servants to honor their obligation to provide equal opportunity for all persons through inclusive policies and practices. In honor of Coleman's courage and commitment to justice, equality and inclusion in the workplace and beyond, the Personnel Cabinet announces the Louis H. Coleman, Jr. Torch Award. Each year during the Personnel Cabinet Black History Month Celebration, a public and private sector professional will be recognized for exemplary advocacy, program development and / or implementation to promote workplace diversity and equality."

Congratulations to Dr. Timothy Findley – Norton Healthcare and Eleanor Jordan – Kentucky Commission on Women the inaugural recipients of the Rev. Louis H. Coleman, Jr. "Torch Award" given by the Office of Diversity & Equality.



Proposed ADA Regulations Withdrawn from OMB Review

On January 21, 2009, the Department of Justice notified the Office of Management and Budget (OMB) that the Department has withdrawn its draft final rules to amend the Department's regulations implementing title II and title III from the OMB review process. This action was taken in response to a memorandum from the President's Chief of Staff directing the Executive Branch agencies to defer publication of any new regulations until the rules are reviewed and approved by officials appointed by President Obama. No final action will be taken by the Department with respect to these rules until the incoming officials have had the opportunity to review the rulemaking record. Incoming officials will have the full range of rule-making options available to them under the Administrative Procedure Act.



To register contact: Arthur Lucas at ArthurB.Lucas@ky.gov

Date	Audience	Title	(GSC) Room	Time
03/11/09	State Employees	Religious Discrimination	542	9 am—12 pm
04/15/09	State Employees	Ant-Harassment	542	9am— 12 pm
05/13/09	State Employees	Sexual Harassment	542	9am— 12 pm
06/17/09	State Employees	Religious Discrimination	539	9am— 12 pm
07/15/09	State Employees	Ant-Harassment	542	9am— 12 pm
08/12/09	State Employees	Sexual Harassment	542	9am— 12 pm
09/16/09	State Employees	Religious Discrimination	542	9am— 12 pm
10/14/09	State Employees	Ant-Harassment	539	9am— 12 pm
11/18/09	State Employee	Sexual Harassment	539	9am— 12 pm

***NOTEWORTHY**

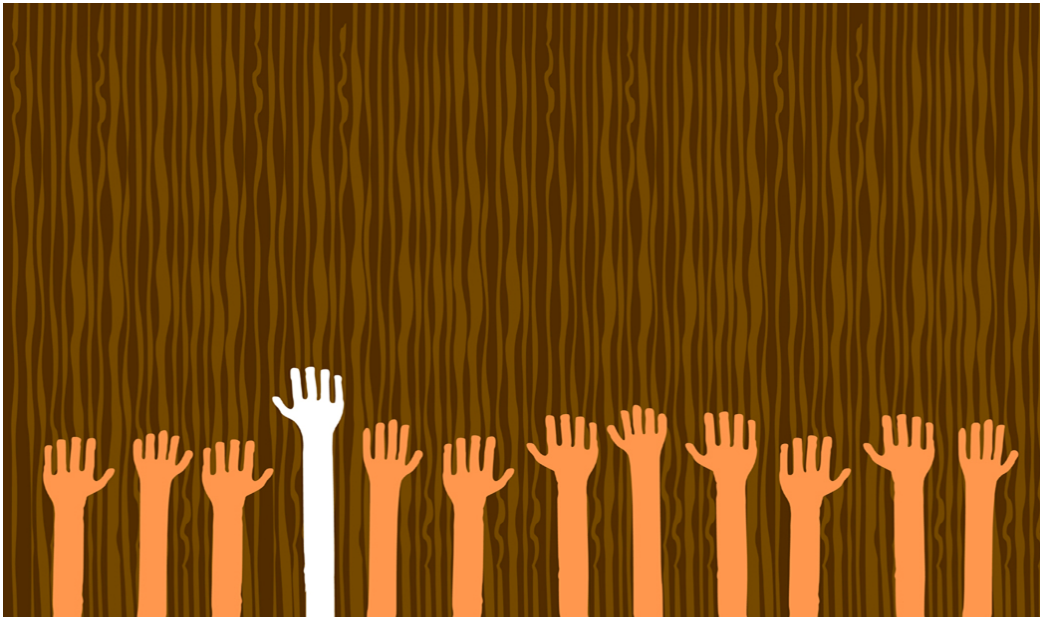
The following workshops are being hosted by KEAP for the next quarter. All workshops take place at the Governmental Services Center on the Kentucky State University Campus. If you, or your employees have any questions please email Rebecca Waddle at (RebeccaM.Waddle@ky.gov).

Friday, March 27, 2009 (8:30am - 10:30am) Understanding Bullying in the Workplace with Trina Wilkins Koontz. Workplace bullying can create negative work environments and significantly impact productivity and morale. In this workshop participants will learn what constitutes bullying, how it affects agencies and employees and what actions can be taken to address bullying behaviors.

Friday, April 24, 2009 (8:30am - 10:30am) Stress Management with Trina Wilkins Koontz. Understanding stress is important to managing it. In this workshop attendees will look at the cause and effect of stress. Techniques for handling current stress-invoking situations as well as strategies for a "less-stress lifestyle" will be explored.

Friday, May 29, 2009 (8:30am – 10:30am) Anxiety Awareness with Zack Culver. Session will include information about the biological and cognitive causes of anxiety. Specific anxiety disorders will be reviewed in order to increase participant's awareness of symptoms and how they may impact their work performance. At the end, participants should have an increased awareness of possible treatments so that they can seek out appropriate services if they or their loved ones are suffering from debilitating anxiety.

Monday, June 8, 2009 (8:30am – 10:30am) Training People How to Treat You with Trina Wilkins Koontz. Often in relationships, particularly with supervisors or co-workers, we feel powerless to address difficult situations. Many of us think there's nothing we can do to deal with tough work relationships. This workshop will look at specific steps to address difficult, one-on-one work-relationship situations. The goal is to develop skills to confront difficult work interactions in a non-destructive way.





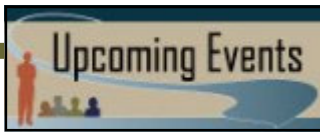
U.S. Supreme Court Issues Major Decision in Title VII Retaliation Case (January 26, 2009)

The U.S. Supreme Court unanimously ruled today that the anti-retaliation provisions of Title VII of the Civil Rights Act of 1964 apply to employees who voluntarily cooperate with an employer's internal investigations, even if the employee didn't initiate the investigation and has filed no formal charge.

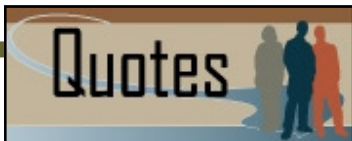
In the case, Vicky Crawford was asked to participate in an ongoing internal sexual harassment investigation. During the investigation, she alleged that she herself had been sexually harassed in the workplace, and months later, she was discharged. She claimed she was fired in retaliation for her statements during the investigation and filed suit against Metro Nashville Schools.

Both the trial court and the Sixth U.S. Circuit Court of Appeals held that Crawford's conduct wasn't protected by Title VII.

The matter has now been reversed and sent back to the Sixth Circuit. For the full text of Crawford v. Metropolitan Government of Nashville and Davidson Cty, visit <http://www.supremecourtus.gov/opinions/08pdf/06-1595.pdf>.



The Kentucky Commission on Women presents:
"Kentucky Women Remembered Ceremony."
Tuesday, March 10, 2009
1:00 PM
Capitol Rotunda.



One day our descendents will think it incredible that we paid so much attention to things like the amount of melanin in our skin or the shape of our eyes or our gender instead of the unique identities of each us as complex human beings.

FRANKLIN THOMAS



12th Annual Governor's Diversity Day

We are pleased to announce the 12th Annual Governor's Diversity Day! This year, schools across the Commonwealth will be developing diversity curriculum and events for March 26, 2009. Schools have been encouraged to develop programs tailored to their specific diversity and institutional needs. Along with assisting schools develop their Diversity Day events, the Office of Diversity & Equality is sponsoring a student video contest! Students will submit three to five minute videos on "The Importance of Diversity." The winning videos from elementary, middle and high schools will be features in the Governor's Diversity Day address to Kentucky's students!



Alvin Herring, CEO of Side-By-Side and the former Executive Director of the Muhammad Ali Institute for Peace and Justice, advised attendees of the Personnel Cabinet's Black History Month Celebration to raise their awareness of other people. Mr. Herring expressed concerns that we all go through a daily façade, greeting one another with empty expressions such as "How are you?" in passing. Herring asked: when was the last time you genuinely wanted to know? When was the last time you greeted another human being and shared a meaningful moment? Herring acknowledged that we can get caught up in the worries of our mind and forget that our fellow human beings deserve recognition. Though we have differences, we all share a commonality....humanity. Herring espoused the South African philosophy of Ubuntu: I am a person because you are a person - we are all in this together! As humans, we wish for people to see and value our existence. This is the key to building relationships and community – we must see each other! We must see past the surface, into our fellow humans. We must allow our humanity to find the humanity in all those around us.

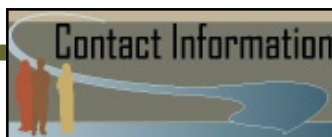
Mr. Herring is fond of a SiSwati greeting from South Africa that exemplifies this Ubuntu philosophy:

"Sawubona!" (I see you – the essence of your humanity!)

"Sikhona" (I am here!)

Mr. Herring believes that an understanding of this philosophy can break down the barriers and lead to the development of a more open and inclusive community.

For more information on Mr. Herring and his work at Side-By-Side, visit his website: www.sidebysidecampus.org.



Arthur Lucas, Deputy Director
State EEO Coordinator
Office of Diversity and Equality
501 High Street, 1st Floor
Frankfort, KY 40601
502-564-8000
ArthurB.Lucas@ky.gov